

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56291 of 2022

Arising Out of PS. Case No.-47 Year-2011 Thana- SAKRA District- Muzaffarpur

ASHOK KUMAR MISHRA Son of Late Ras Narayan Mishra R/V-
Jagdishpur Budhnagari, P.S- Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Srivastava, Advocate

Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 03-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
09.07.2022 in connection with Sakra P.S. Case No. 47 of 2011,
F.I.R. dated 22.02.2011 for the offences punishable under
Sections 304(B), 201, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
his family members killed the daughter of the informant on the
pretext of non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that the
petitioner is the husband of the deceased. He further submits



that no material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the basis of material available on the record and case diary submits that it has come during investigation that the petitioner and other family members have committed murder of the deceased. He further submits that even the postmortem was not conducted.

Vide order dated 23.02.2023 a report was called with regard to the present stage of trial. Report dated 18.04.2023 of the learned trial court reveals that due to absence of the petitioner the charge has not been framed as yet.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Sakra P.S. Case No. 47 of 2011 pending in the court of learned Additional Chief Judicial Magistrate-12th, Muzaffarpur (East).

Prayer is refused.

(Rajesh Kumar Verma, J)

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